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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LTL MANAGEMENT LLC,

Plaintiff,

-v-

DR. JACQUELINE MIRIAM MOLINE,

Defendant.

Civil Action No.

3:23-cv-02990

Motion Return Date:

July 3, 2023

DECLARATION OF PETER C. HARVEY

I, Peter C. Harvey, of full age, hereby declare under penalty of perjury:

1. I am a member of the law firm of Patterson Belknap Webb & Tyler LLP. My office is located at 1133 6th Avenue, New York, NY 10036. I am a member in good standing of the Bar of New Jersey. There are no disciplinary proceedings pending against me.

2. I submit this declaration (the “Declaration”) in connection with the *Reply Brief in Support of Plaintiff’s Motion for Limited Expedited Discovery*, filed contemporaneously herewith. I have personal knowledge of the matters set forth herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of the transcript from the telephonic deposition of Dr. Jacqueline Moline, dated February 26, 2020, in the matter of *Zimmerman v. Autozone, Inc.*, Case No. BC720153 in the Superior Court of the State of California for the County of Los Angeles.

4. Attached hereto as **Exhibit 2** is a true and correct copy of the Institutional Review Board approval from Northwell Health to Dr. Jacqueline Moline dated March 23, 2018.

5. Attached hereto as **Exhibit 3** is a true and correct copy of the reporter’s transcript of court proceedings of the morning session on October 26, 2017 in the matter of *Herford v. AT&T Corp.*, Case No. BC46315 in the Superior Court of the State of California for the County of Los Angeles.

6. Attached hereto as **Exhibit 4** is a true and correct copy of the Order Regarding Motions in Limine, for Summary Judgment, and for Missing Evidence Instructions, dated April 12, 2019, in the matter of *Hayes v. Colgate-Palmolive Co., et al.*, Case No. 16-CI-003503 in the Jefferson County Circuit Court in Kentucky.

7. Attached hereto as **Exhibit 5** is a true and correct copy of the reporter's transcript of court proceedings on March 5, 2019 in the matter of *Olson, et. al. v. Brenntag North America, Inc., et al.*, Case No. 190328/2017 in the Supreme Court of the State of New York for the County of New York.

8. Attached hereto as **Exhibit 6** is a true and correct copy of a Journal Entry dated February 25, 2019 in the matter of *Pipes v. Johnson & Johnson, et al.*, Case No. CJ-2017-3487 in the District Court of Oklahoma County in the State of Oklahoma.

9. Attached hereto as **Exhibit 7** is a true and correct copy of the Order Granting in Part and Denying in Part Motion and Motion to Join dated February 21, 2018 in the matter of *Lanzo v. Cyprus Amax Minerals Co., et al.*, Case No. MID-7385-16 AS in the Superior Court of New Jersey, Law Division, Middlesex County.

10. Attached hereto as **Exhibit 8** is a true and correct copy of the Rulings on Motions in Limine dated July 23, 2018 in the matter of *Weirick, et al. v. Brenntag North America, Inc., et al.*, Case No. JCCP 4674 in the Superior Court of the State of California for the County of Los Angeles.

11. Attached hereto as **Exhibit 9** is a true and correct copy of the transcript from the deposition of Dr. Jacqueline Moline, dated November 25, 2019,

in the matter of *Wiman v. Triangle Enterprises, et al.*, Case No. 18-CI-00181 in the Graves Circuit Court (Division 1) in the Commonwealth of Kentucky.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED: New York, New York
June 30, 2023

/s/ Peter C. Harvey
Peter C. Harvey

Exhibit List

Exhibit 1 – Transcript from the telephonic deposition of Dr. Jacqueline Moline, dated February 26, 2020, in the matter of *Zimmerman v. Autozone, Inc.*, Case No. BC720153 in the Superior Court of the State of California for the County of Los Angeles.

Exhibit 2 – Institutional Review Board approval from Northwell Health to Dr. Jacqueline Moline dated March 23, 2018.

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